

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALLISON ALT,

Plaintiff,

– against –

SOCIAL IMPACT 360, INC. and THOMAS
RAFFA,

Defendants.

ORDER

20 Civ. 4478 (ER)

RAMOS, D.J.

Plaintiff brought this action on June 11, 2020 for violations of the Fair Labor Standards Act (“FLSA”) and the New York Labor Law, and for breach of an employment agreement. Doc.

1. On October 27, 2020, the parties filed a joint proposed stipulation and order of dismissal, seeking to dismiss this case with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Doc. 23.

In this Circuit, parties cannot privately settle FLSA claims with prejudice absent the approval of the district court or the Department of Labor. *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 200 (2d Cir. 2015). Because the parties in the instant suit have not received such approval, the case may not yet be dismissed pursuant to Rule 41(a)(1)(A)(ii). *See id.* Accordingly, the parties are directed to submit their proposed settlement agreement to the Court by October 30, 2020.

Dated: October 27, 2020
New York, New York



EDGARDO RAMOS, U.S.D.J.